



06-05-03

3624

In the United States Patent and Trademark Office

052910-0002

In re Application of:

Assignee: Perfect Commerce, Inc.  
Inventors: Marc Porat, Paul Milgrom, and Kevin J. Surace  
Serial No.: 09/350,983  
Filing Date: July 9, 1999  
Title: Method, System and Business Model for a Buyer's Auction with Near Perfect Information Using the Internet

Art Unit: 3624  
Examiner: Jagdish Patel

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EV 065 414 491 US  
Date of Deposit: June 3, 2003

I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and are addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Type or Print Name of Person Mailing: Jan Steele

Signature of Person Mailing

*Jan Steele*

RESPONSE TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on March 3, 2003, enclosed herewith for filing are the following:

- Response to Office Action
- one verified statement(s) claiming small entity status
- is/are also enclosed  was/were submitted previously
- Petition for Extension of Time and \$\_\_\_\_\_ fee
- No additional fee is required
- An additional fee is required, and is calculated as shown below:

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GROUP 3600

| AMENDED CLAIMS   |               |   |              |          |                |
|--|---------------|---|--------------|----------|----------------|
|  | No. of Claims | Highest No. of Claims Previously Paid For | Extra Claims | Rate     | Additional Fee |
| Total Claims   | 105           | Minus 112 =                               | 0            | x \$18 = | 0              |
| Independent Claims   | 6             | Minus 5 =                                 | 1            | x \$84 = | 84.00          |
| If Amendment adds multiple dependent claims, add \$280                 |               |   |              |          | 0              |
| Total Amendment Fee  |               |   |              |          | 84.00          |
| If small entity status is claimed, subtract 50% of Total Amendment Fee |               |   |              |          | 42.00          |
| TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT                            |               |   |              |          | 42.00          |

A check in the amount of \$ 42.00 is enclosed.  
 Charge \$\_\_\_\_ to Deposit Account No. 19-2385.

The Commissioner is hereby authorized to charge any fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, or to credit any overpayment, to Deposit Account No. 19-2385. This paper is submitted in duplicate.

Respectfully submitted,

Date: June 3, 2003

Robert Beyers  
 Robert Beyers, Ph.D.  
 Registration No. 46,552

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 Telephone: (650) 470-4624



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Docket No. 052910-0002

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Type or Print Name of Person Mailing: Jan Steele

Signature of Person Mailing

**RESPONSE TO OFFICE ACTION**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**GROUP 3600**

Sir:

In an Office Action mailed March 3, 2003 (the "Office Action"), the Examiner:

- A. Rejected claims 102-105 under 35 U.S.C. 112 ¶2;
- B. Rejected claims 1-15, 18-29, 30-33, 37-56, 62-70, 76-101 and 109-112 under 35 U.S.C. 103(a) as being unpatentable over Alaia et al. (U.S. 6,408,283, "Alaia") in view of Huberman (U.S. 5,826,244, "Huberman");
- C. Rejected claims 34-36 and 106-108 under 35 U.S.C. 103(a) as being unpatentable over Alaia in view of Huberman and Walker et al. (U.S. 6,041,308, "Walker");
- D. Rejected claims 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over Alaia in view of Huberman and Chen (U.S. 5,991,737, "Chen");
- E. Rejected claims 57-61 and 106 under 35 U.S.C. 103(a) as being unpatentable over Alaia in view of Huberman and Mori et al. (EP 0 828 223 A2, "Mori"); and

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F. Objected to claims 74 and 75 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants' attorney thanks Examiner Patel for the courtesy of a telephonic interview on April 24, 2003 with Applicant Paul Milgrom and Applicants' attorney Robert Beyers. Per the agreement reached during the telephone interview, please enter the following amendments in response to the Office Action.